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Dated: August 18, 2005

Signature: *Monica L. Thomas*

(Monica L. Thomas)

PATENT & TRADEMARK OFFICE

Docket No.: AH-UTXC:681US
(PATENT)

US PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David J. Yang et al.

Application No.: 10/024,678

Filed: December 18, 2001

Art Unit: 3723

For: LOCAL REGIONAL CHEMOTHERAPY AND
RADIOTHERAPY USING IN SITU
HYDROGEL

Examiner: B. M. Fubara

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On January 14, 2005, Applicants filed both a Notice of Appeal and an Appeal Brief in the above-referenced small entity application and included Check No. 53436 in the amount of \$500.00 (copy enclosed). On April 12, 2005, the Director removed from our Deposit Account No. 06-2375 \$250.00 under Order No. AH-UTXC:681US for a Notice of Appeal fee for the above-referenced application. Enclosed is a copy of the Monthly Deposit Account Statement for April 2005 showing the \$250.00 that was debited under Order No. AH-UTXC:681US and the return receipt postcard indicating that the check for \$500.00 was received for this application.

large entity
Applicant hereby requests a refund of \$250.00. Please credit any refund to our Deposit Account No. 06-2375 under Order No. AH-UTXC:681US.
small entity

Application No.: 10/024,678

Docket No.: AH-UTXC:681US

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. AH-UTXC:681US from which the undersigned is authorized to draw.

Dated: August 18, 2005

Respectfully submitted,

By 

Melissa L. Sistrunk

Registration No.: 45,579

FULBRIGHT & JAWORSKI L.L.P.

Fulbright Tower

1301 McKinney, Suite 5100

Houston, Texas 77010-3095

(713) 651-5151

(713) 651-5246 (Fax)

Attorney for Applicant

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FULBRIGHT & JAWORSKI L.L.P.

VENDOR: 177075 Commissioner for Pat

CHECK NO: 53436

| APPR# | INVOICE# | DATE | AMOUNT | DESCRIPTION | VOUCH# |
|-------|----------------|----------|--------|---|----------|
| 01533 | 01142005/01533 | 01-14-05 | 500.00 | Filing fee for notice of appeal and appeal brief for AH-UTXC:681US w/USPTO/10112462 | 10573867 |

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Houston, Texas 77253-3016
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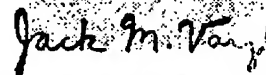
Jan 14, 2005

Amount

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Commissioner for Patents
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ADMINISTRATIVE PARTIES

Authorizing Signature

Two Signatures Required if Over \$10,000

⑈53436⑈ ⑆113011258⑆ 0000129909⑈

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| Account No. | 062375 |
| Date | 4-29-05 |
| Page | 1 |

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| DATE POSTED | | | CONTROL NO. | DESCRIPTION (Serial, Patent, TM, Order) | DOCKET NO. | FEE CODE | CHARGES/ CREDITS | BALANCE |
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| AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT | | | | | OPENING BALANCE | TOTAL CHARGES | TOTAL CREDITS | CLOSING BALANCE |

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| Account No. | 062375 |
| Date | 4-29-05 |
| Page | 2 |

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| DATE POSTED | | | CONTROL NO. | DESCRIPTION (Serial, Patent, TM, Order) | DOCKET NO. | FEE CODE | CHARGES/ CREDITS | BALANCE |
|--|-----|-----|----------------|--|---------------------------|---------------|---------------------|-----------------|
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Atty Docket No.: AH-UTXC:681US
Reference: 10112462 / University of Texas M.D. Anderson Cancer Center
Inventor: David J. Yang et al.
Application No.: 10/024,678
Title: LOCAL REGIONAL CHEMOTHERAPY AND RADIOTHERAPY USING IN SITU HYDROGEL

Filing Date: December 18, 2001

Documents Filed:

Appeal Brief in Triplicate (73 pages)(3 Sets Attached)

Notice of Appeal (1 page)

Notice of Appeal from the Examiner to The Board of Patents and Interferences (1 pg.)

Transmittal (1 page)

Fee Transmittal (1 page)

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Date: January 14, 2005

Atty Docket No.: AH-UTXC:681US
Reference: 10112462 / University of Texas M.D. Anderson Cancer Center
Inventor: David J. Yang et al.
Application No.: 10/024,678
Title: LOCAL REGIONAL CHEMOTHERAPY AND RADIOTHERAPY USING IN SITU HYDROGEL

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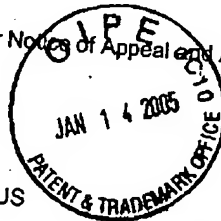
Notice of Appeal from the Examiner to The Board of Patents and Interferences (1 pg.)

Transmittal (1 page)

Fee Transmittal (1 page)

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PATENT

PTO/SB/21 (09-04)

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| | | |
|--|--|--|
| <p>Application Number</p> <p>10/024,678</p> | | |
| | | <p>Filing Date</p> <p>December 18, 2001</p> |
| | | <p>First Named Inventor</p> <p>David J. Yang</p> |
| | | <p>Art Unit</p> <p>3723</p> |
| | | <p>Examiner Name</p> <p>B. M. Fubara</p> |
| <p>Total Number of Pages in This Submission</p> <p>6</p> | <p>Attorney Docket Number</p> <p>AH-UTXC:681US</p> | |

ENCLOSURES (Check all that apply)

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|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of the Check No. 53436 Deposit Account Statement for 04/05 Return Receipt Postcard |
| <p>Remarks</p> | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-----------------------------|----------|--------|
| Firm Name | FULBRIGHT & JAWORSKI L.L.P. | | |
| Signature | <i>Melissa L. Sistrunk</i> | | |
| Printed name | Melissa L. Sistrunk | | |
| Date | August 18, 2005 | Reg. No. | 45,579 |

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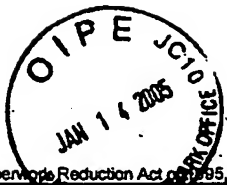
Dated: August 18, 2005

Signature:

Monica L. Thomas

(Monica L. Thomas)

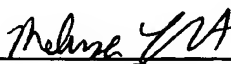
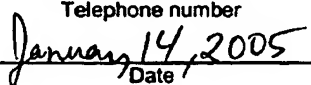
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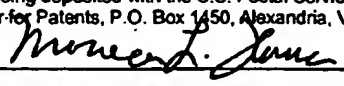


PTO/SB/31 (09-04)

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| In re Application of David J. Yang et al. | | | |
| Application Number 10/024,678 | | Filed December 18, 2001 | |
| For LOCAL REGIONAL CHEMOTHERAPY AND RADIOTHERAPY USING IN SITU HYDROGEL | | | |
| Art Unit 3723 | | Examiner Blessing Fubara | |
| Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. | | | |
| The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) | | \$ 500.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: | | \$ 250.00 | |
| <input checked="" type="checkbox"/> A check in the amount of the fee is enclosed. | | | |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. | | | |
| <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. | | | |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-2375. I have enclosed a duplicate copy of this sheet. | | | |
| <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. | | | |
| I am the | | | |
| <input type="checkbox"/> applicant /inventor. | |  Signature | |
| <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) | | Melissa L. Sistrunk Typed or printed name | |
| <input type="checkbox"/> attorney or agent of record. Registration number _____ | | (713) 651-3735 Telephone number | |
| <input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. 45,579 | |  Date January 14, 2005 | |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*. | | | |
| <input type="checkbox"/> *Total of 1 forms are submitted. | | | |

| | |
|---|---|
| Notice of Appeal | |
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| Dated: January 14, 2005 | Signature:  (Monica L. Thomas) |

Adjustment dates 11/03/2005 SDIRETA1
01/21/2005 SSANDARA 00000003 10024678
01 FC:1402

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11/03/2005 SDIRETA1 00000006 10024678

01 FC:2401

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Signature:

(Monica L. Thomas)

Docket No.: AH-UTXC:681US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David J. Yang et al.

Application No.: 10/024,678

Filed: December 18, 2001

Art Unit: 3723

For: LOCAL REGIONAL CHEMOTHERAPY AND
RADIOTHERAPY USING IN SITU
HYDROGEL

Examiner: B. M. Fubara

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Patent Examiner dated October 14, 2004, finally rejecting claims 1-3, 5, 8-17, and 126-128 of the above-identified patent application.

Our check in the amount of \$250.00 covering the fee set forth in 37 CFR 41.20(b)(1) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. AH-UTXC:681US. A duplicate copy of this paper is enclosed.

Fees Processed

Dated: January 14, 2005

Respectfully submitted,

By Melissa L. Sistrunk
Melissa L. Sistrunk
Registration No.: 45,579
FULBRIGHT & JAWORSKI L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
(713) 651-5151
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Attorney for Applicant

4/12/2005 YCHADWIC 00000002 062375 10024678

1 FC:2401 250.00 DA

Adjustment date: 11/03/2005 SDIRETA1
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